

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROBERT BANUELOS MEZA,  
Plaintiff,

v.

FERNY BATMAN, et al.,  
Defendants.

Case No. 16-cv-06904 NC (PR)

**ORDER OF DISMISSAL**

On November 30, 2016, Plaintiff, proceeding *pro se*, filed a federal civil rights complaint pursuant to 42 U.S.C. § 1983.<sup>1</sup> That same day, the court sent a notification to Plaintiff, informing him that he did not pay the filing fee, and his application to proceed in forma pauperis (“IFP”) was incomplete. Specifically, the notification informed Plaintiff that he did not submit the proper IFP form, did not submit a Certificate of Funds signed by an authorized officer at his institution, and did not submit a copy of his prisoner trust account. The court also provided Plaintiff with a blank IFP application, along with a return envelope, and a notification that the case would be dismissed if he failed to pay the fee, or file a completed application with supporting documentation within twenty-eight

<sup>1</sup> Plaintiff has consented to magistrate judge jurisdiction. (Docket No. 5.)

1 days.

2 On December 12, 2016, Plaintiff filed a motion to proceed IFP, and attached an  
3 incomplete Certificate of Funds. On January 25, 2017, the court sent a second notification  
4 to Plaintiff, informing Plaintiff that he must submit a Certificate of Funds signed by an  
5 authorized officer, as well as a six-month statement of Plaintiff's trust account within  
6 twenty-eight days. On February 10, 2017, the court received an incomplete Certificate of  
7 Funds, signed by Plaintiff, but not by an authorized officer from his institution.

8 Although the court sent Plaintiff two deficiency notices regarding Plaintiff's  
9 application to proceed IFP, Plaintiff has not submitted a complete application within the  
10 deadline. Accordingly, the case is DISMISSED without prejudice. The Clerk shall  
11 terminate all pending motions and close the file.

12 **IT IS SO ORDERED.**

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14 DATED: February 27, 2017

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16 NATHANAEL M. COUSINS  
17 United States Magistrate Judge  
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